



Atty. Docket No.: 4245/2035B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Elson, et al.
Serial No.: 10/672,072
Filed: September 25, 2003
Entitled: Adhesive N, O-Carboxymethylchitosan
Coatings Which Inhibit Attachment of
Substrate-Dependent Cells and Proteins

Examiner: Crane, L.

Group Art Unit: 1623

Conf. No.: 4689

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Mary Wilson

Name of Person Mailing Paper

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Commissioner for Patents
P.O. Box 1450
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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
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Dear Sir:

The owner, Chitogenics, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on Application Number 09/315,480, filed on May 20, 1999, now United States Patent No. 6,645,947. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Commissioner for Patents is hereby authorized to charge the Terminal disclaimer fee under 37 CFR 1.20(d) to Account No. 16-0085, Reference 4245/2035B. The undersigned is an attorney or agent of record.

Respectfully submitted,

Date: October 14, 2004



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